EXHIBIT 15

DATE 01/16/2013

HB 120

January 16, 2013

Dear Madam Chair, and distinguished members of the committee:

Montana law creates a two-tiered ballot-access scheme for candidates seeking to run for non-presidential offices: one for qualified parties and one for independent and minor-party candidates. A qualifying party is any party that had a candidate for statewide office who met a certain vote threshold in either of the last two general elections, or that submitted a party-qualifying petition meeting the requirements of MCA § 13-10-601.

Independent and minor-party candidates appear on the general-election ballot only if the candidate or party submits a nominating petition meeting the requirements of MCA § 13-10-501 through 503, and pays the filing fee prescribed by MCA § 13-10-202. The signature requirement is 5% of the total votes cast for the successful candidate for the same office in the last general election. MCA § 13-10-502. In 2008 this represented roughly 10,000 signatures. In 2008, the deadline was March 20, and the fee was \$1,693.00. The March 20 deadline was ruled unconstitutional by a federal district court judge.

It is not easy for an independent candidate to qualify for the general-election ballot. There have been only two statewide independent candidates to appear on the general-election ballot since 1936.

I'm here today to ask for your support for a July or August petition signature deadline for non-party independents, rather than the May deadline proposed in the HB 120.

Primary season is pretty busy around the county election office for obvious reasons.

July and August is our finest weather, with lots of big outdoor events where signatures can be gathered efficiently, and cost-effectively.

Independent candidates are seriously underrepresented on the general-election ballot. There are few independent representatives in Washington, D.C., and none to my knowledge in Helena currently serving in the legislature.

Independent candidates are typically not looking for a career in politics. Those who do want to serve in public office often don't plan to run until the field of candidates of major parties is well known.

The combination of 1) the fee, 2) the number of signatures, plus 3) the early (May) deadline has proven to be a daunting task for newcomers and political veterans alike.

A signature deadline in July or August would improve the odds that at least a few independent candidates who want to serve the public will step forward and run for political office. I believe there is strength in diversity.

I would certainly appreciate your support for a July or August deadline.

Very sincerely, Steve Kelly P.O. Box 4641 Bozeman, Montana

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